

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

220

CRM-M-23897-2023

Date of decision: 24.05.2023

KRISHAN LAL

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Gagandeep Singh, Advocate for
Mr. V.K. Godara, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

GURBIR SINGH, J. (ORAL)

The prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.104 dated 20.04.2023 under Section 15, 27 of NDPS Act registered at Police Station Sadar Ratia, District Fatehabad.

On 11.05.2023, the following order was passed:-

“The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.104 dated 20.04.2023 under Sections 15 and 27-A of NDPS Act, registered at police station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner submits that two plastic bags containing 8 kilograms and 10 kilograms, 500 grams (total 18 kilograms and 500 grams) of poppy husk were recovered

from the co-accused. The petitioner was nominated on the basis of the statement of co-accused while they were in custody. Recovery of poppy husk is of non-commercial quantity which is effected from the co-accused.

Notice of motion.

At the asking of the Court, Ms. Himani Arora, AAG, Punjab, appears and accepts notice on behalf of respondent No.1-State. A copy of the paper book be supplied to her during the course of the day.

Adjourned to 24.05.2023.

In the meantime, petitioner is directed to appear before the SHO/Investigating Officer as and when called to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigation officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him for disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned. Status report, if any, be filed on or before the next date of hearing with advance copy to the counsel opposite.”

Learned State counsel submits that in compliance of the order dated 11.05.2023 the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of above, the order dated 11.05.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by the conditions

CRM-M-23897-2023

-3-

as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

(GURBIR SINGH)
JUDGE

24.05.2023
Kusum

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No